

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

DOCKET NO. 2007- 359-W/S

In re)	
)	
Application of Total Environmental)	PETITION TO INTERVENE
Solutions, Inc. for Approval of Customer)	OF FOXWOOD HILLS PROPERTY
Agreement and Related Responsibilities,)	OWNERS ASSOCIATION
Rates and Charges)	
<hr/>)	

Pursuant to 26 S.C. Regs. 103-825, Foxwood Hills Property Owners Association ("Foxwood POA") respectfully petitions the Public Service Commission of South Carolina ("Commission") for permission to intervene in the application of Total Environmental Solutions, Inc. ("TESI") for approval of the arrangements set forth in the September 12, 2007, Consent Agreement between the South Carolina Department of Health & Environmental Control ("DHEC") and TESI related to the repair and maintenance of grinder pumps in Foxwood Hills subdivision ("Foxwood Hills") and the proposed Customer Agreement. In support of this petition, Foxwood POA would show the following:

1. Foxwood POA is a non-profit association organized in 1978 and comprised of property owners in the Foxwood Hills subdivision. Foxwood POA is empowered to defend the Association and individual property owners' rights in legal matters.

2. Foxwood POA's authorized representatives in this proceeding are as follows:

FOXWOOD POA OFFICIAL

Mr. Bill Lewis, General Manager & Comptroller
Foxwood Hills Property Owners Association
800 Hickory Trail
Westminster, South Carolina 29693

This document is an exact duplicate, with the exception of the form of the signature, of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

And

LEGAL REPRESENTATIVES

Frank R. Ellerbe, III, Esquire
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3. TESI has filed an application seeking approval of certain arrangements to repair and maintain grinder pumps in Foxwood Hills under the terms of a Consent Agreement between DHEC and TESI and a proposed Property Owner/Customer Agreement which was attached to the DHEC Consent Agreement. According to the application approximately 259 of the 546 sewer customers in Foxwood Hills have “grinder pump stations” located on their property. Apparently DHEC has taken the position that grinder pumps connected to TESI’s gravity lines are the responsibility of the property owner and that grinder pumps connected to TESI’s low pressure lines would be the responsibility of TESI, not the property owner.

4. Foxwood POA has an interest in the above-captioned proceeding since its members are property owners who are directly affected by the DHEC Consent Agreement and the proposed Customer Agreement.

5. Foxwood POA’s intervention will aid the Commission by assisting in the development of a full and fair record to address the issues raised in this proceeding. Foxwood POA’s position in this matter is that all grinder pumps in Foxwood Hills are the sole responsibility of the respective property owner and not TESI. Therefore, the regulatory obligations related to the grinder pumps are the responsibility of the owner, not TESI.

6. Foxwood POA is informed and believes that granting its request to be made a party of record is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in the issues before it, and should be allowed so that a full and complete record addressing the views and concerns of the Foxwood POA can be developed.

7. Foxwood POA estimates the time for its presentation to be approximately thirty minutes and anticipates calling one witness.

WHEREFORE, Foxwood POA prays for the following relief:

A. That this petition to intervene be granted by the Commission and that the Foxwood POA be made a formal party of record to the proceeding.

B. That Foxwood POA be allowed to fully participate in this proceeding and to take such positions as it deems advisable.

C. That such other and further relief be granted as the Commission deems appropriate.

Dated this 9th day of November, 2007.

ROBINSON, MCFADDEN & MOORE, PC.



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Association

**BEFORE
THE PUBLIC SERVICE COMMISSION
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DOCKET NO. 2007-359-W/S**

In Re:

Application of Total Environmental
Solutions, Inc. for Approval of
Customer Agreement and Related
Responsibilities, Rates and
Charges

CERTIFICATE OF SERVICE

This is to certify that I, Leslie L. Allen, a legal assistant with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Petition to Intervene of Foxwood Hills Property Owners Association** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

John F. Beach, Esq.
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Julie McIntyre
SC Dept. of Health & Human Services
2600 Bull Street
Columbia, SC 29201

Dated at Columbia, South Carolina this 9th day of November, 2007.



Leslie L. Allen